

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.¹

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS AND
TRANSPORTATION AUTHORITY (“HTA”),

Debtor.

PROMESA
Title III

No. 17 BK 3567-LTS

**INFORMATIVE MOTION OF HTA MOVANTS
REGARDING EXHIBITS AND DEMONSTRATIVES FOR THE
JUNE 4, 2020 PRELIMINARY HEARING ON LIFT STAY MOTIONS**

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States District Judge Laura Taylor Swain:

Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company (collectively, “**Movants**”) respectfully submit this informative motion pursuant to the Court’s *Order Regarding Procedures for June 3-4, 2020 Omnibus Hearing* (ECF No. 13220)² (the “**Procedures Order**”) and respectfully state as follows:

1. On May 26, 2020, the Court entered the Procedures Order, in part, to instruct the Parties regarding submission of exhibit lists and demonstratives in advance of the June 4, 2020 hearing on the Lift Stay Motions³ (the “**Preliminary Hearing**”).

2. The Court instructed the Movants, “to the extent that counsel intend to rely on . . . demonstratives at the [Preliminary H]earing, counsel shall file any such . . . demonstratives as a single attachment . . . in searchable PDF format to an informative motion labeled to correspond to the relevant agenda item and/or motion or report” (Procedures Order ¶ 8.)

3. Pursuant to Paragraph 8 of the Procedures Order, the Movants’ HTA Demonstratives for the Preliminary Hearing are attached hereto as Exhibit A.

4. In addition, the Parties have reached agreement that (i) the exhibits and declarations previously filed with respect to the Lift Stay Motions and (ii) certain documents cited in the Holder Report will be part of the record evidence at the Preliminary Hearing.

² Unless otherwise indicated, “ECF No.” refers to the docket in Case No. 17-BK-3283-LTS.

³ All capitalized terms not defined herein shall have the meanings ascribed to them in the Movants’ HTA Lift Stay Motion (ECF No. 10102), Movants’ HTA Reply (ECF No. 12994), and Movants’ HTA Response to Sur-Reply (ECF No. 13223).

5. Movants' HTA Exhibit List, attached hereto as Exhibit B, lists those items submitted by the Movants which the Parties have agreed comprise the record.⁴ Accordingly, Movants will ask the Court at the Preliminary Hearing to deem the exhibits listed on Exhibit B entered into the record for purposes of the hearing, subject to the limitations noted therein.

6. To the extent any Court questions at argument require reference to any of the record evidence, the Movants will identify such exhibits by reference to the corresponding "Movants' HTA Exhibit" number. The Movants' Exhibit List also includes an ECF reference indicating where each of Movants' HTA Exhibits may be found on the public record.

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⁴ For the avoidance of doubt, this includes, but is not limited to the *Declaration of William J. Natbony In Support of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company For Relief From the Automatic Stay, or, In the Alternative, Adequate Protection* (ECF No. 10107) (the "Natbony Decl."); the *Declaration of William J. Natbony In Support of Reply In Support of Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company For Relief From the Automatic Stay, or, In the Alternative, Adequate Protection* (ECF No. 13004) (the "Natbony Reply Decl."), as modified by (i) the *Informative Motion Submitting Redacted Exhibits Pursuant to the Court's May 7, 2020 Order* (ECF No. 13067) (ECF No. 13078) and (ii) the *Supplemental Reply Declaration of William J. Natbony in Support of Reply in Support of Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection* (ECF No. 12994) (ECF No. 13186); the *Declaration of William W. Holder In Support of the Reply of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company, In Support of Their Motion For Relief From the Automatic Stay, or, In the Alternative, Adequate Protection* (ECF No. 13314-31); the *Declaration of William J. Natbony In Support of Response of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company To Sur-Reply of Financial Oversight and Management Board For Puerto Rico In Opposition to Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company For Relief From the Automatic Stay, or, In the Alternative, Adequate Protection* (ECF No. 13224) (the "Natbony SR Decl."); and the *Informative Motion of HTA Movants Regarding Submission of Supplemental Exhibits for the June 4, 2020 Preliminary Hearing On Lift Stay Motions* (ECF No. 13314).

Dated: New York, New York
June 2, 2020

Respectfully submitted,

**CASELLAS ALCOVER & BURGOS
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CERTIFICATE OF SERVICE

I hereby certify that I filed this document electronically with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to all parties of record in the captioned case.

At New York, New York, the 2nd day of June, 2020.

By: /s/ Howard R. Hawkins, Jr.

Howard R. Hawkins, Jr.*

*Admitted pro hac vice